

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

United States of America,) CRIMINAL NO. 3:09-1174-CMC
)
)
v.) **OPINION and ORDER**
)
)
Jeffrey Brian Gibert,)
)
)
Defendant.)
_____)

This matter is before the court on Defendant's motion requesting termination of probation. ECF No. 779. The U.S. Probation Office and the Assistant United States Attorney do not oppose Defendant's motion.

Title 18 United States Code Section 3564(c) provides that

The court, after considering the factors set forth in section 3553(a) to the extent they are applicable, may . . . terminate a term of probation previously ordered and discharge the defendant at any time . . . after the expiration of one year of probation in the case of a felony, if it is satisfied that such action is warranted by the conduct of the defendant and the interest of justice.

Considerations contained in § 3553 include, *inter alia*, the nature and circumstances of the offense and the history and characteristics of the defendant; the ability to afford adequate deterrence to criminal conduct; the need to protect the public from further crimes of the defendant; and the need to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner. 18 U.S.C. § 3553.

Defendant was informed at sentencing by the undersigned that termination of probation would be considered after Defendant had served at least two (2) years of the three (3) years of the probation sentence which was imposed. Defendant has been compliant with all terms of his probation, including payment of the full amount of the fine ordered at sentencing. Therefore, Defendant's request for termination of probation is **granted**.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON McGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
November 13, 2012